

**Exhibit 2**  
**Correspondence of Les Rose**  
**Counsel, Royal Canadian Mounted**  
**Police**

**Roe, Susan (USAWAW)**

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**From:** Les Rose [les.rose@rcmp-grc.gc.ca]  
**Sent:** Thursday, October 27, 2011 1:20 PM  
**To:** Roe, Susan (USAWAW)  
**Cc:**  
**Subject:** Re: Rosenau

Indeed, I would confirm that you have captured the gist of our tele-discussion today below, Ms Roe.

I cannot with any confidence advise that the hearing resulting from the Rosenau v Regina Notice of Application will be completed by November 07.

I confirm that I am uncomfortable in advising the members to do anything that would constructively render the Rosenau application moot.

That stated, I am confident that my DOJ colleagues will respond to the matter in a timely manner and we will provide you notice of the decision as soon as same is available.

Should you require further assistance and/or advice my contact numbers are available and may be used on a 24/7 basis.

Regards

Les Rose

Les Rose Counsel  
Legal Advisory Section  
RCMP [Pacific Region]  
Department of Justice

tel.: 604.264.2104

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>>> "Roe, Susan (USAWAW)" <[Susan.Roe@usdoj.gov](mailto:Susan.Roe@usdoj.gov)> 2011-10-27 09:57 >>>

Mr. Rose,

Thank you for speaking with me today regarding *the Rosenau v. Regina* Notice of Application filed October 25, 2011. A two page Notice was filed but the supporting Affidavits, referenced on page 2, were not included.

I inquired as to the effect of this Notice on the ongoing participation of RCMP in the preparation for and in upcoming trial, *United States v. Henry Rosenau, CR06-157 MJP*. My notes reflect that you said, "As their counsel, I cannot advise RCMP members to participate in U.S. proceedings during the pendency of this application." I assume this applies to both active and retired Members.

We discussed the possibility of the use of Mutual Legal Assistance Treaties (MLATs) to obtain their testimony and the evidence still held by the RCMP within a reasonable period of time.

Would you please confirm that I am accurate in my notes. Thank you.

Susan M. Roe  
AUSA – WDWA  
700 Stewart Street, #5220  
Seattle, Washington 98101  
206-553-1077



Royal Canadian Mounted Police  
Gendarmerie royale du Canada

Security Classification / Designation  
Classification / Désignation sécuritaire

5255 Heather Street  
Vancouver, BC  
V5Z 1K6

Your file      Votre référence

October 28, 2011

Ms. Susan M. Roe  
AUSA – WDW  
700 Stewart Street, #5220  
Seattle, Washington 98101

Our file      Notre référence

Dear Ms Roe:

Re: **Regina v Henry Carl Rosenau File #2502 Vancouver [BC] Registry**

Please be advised that I can confirm our tele-discussion dated October 27, 2011 with respect to the Regina v Rosenau application.

During that conversation you ".....inquired as to the effect of this Notice on the ongoing participation of RCMP in the preparation for and in upcoming trial, *United States v. Henry Rosenau, CR06-157 MJP...*".

I stated that, ".....as their counsel, I cannot advise RCMP members to participate in U.S. proceedings during the pendency of this application..." which would have the effect of rendering Mr. Rosenau's application moot and not decided on its merits.

That stated, in the spirit of candor, I can advise that retired members of the RCMP are beyond the command and control of the RCMP; and I am precluded from providing legal advice to these former members.

Should you feel I can provide further assistance/advice with respect to the US v. Rosenau matter, do not hesitate to contact me accordingly.

Regards,

Les Rose, Counsel  
Royal Canadian Mounted Police  
"E" Division